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EDWARD A. BOKS
General Manager

Report to the Board of Animal Services Commissioners

Edward A. Boks, General Manager

COMMISSION MEETING DATE: March 24, 2008 **PREPARED BY:** Miki Shaler

REPORT DATE: March 17, 2008 **TITLE:** Management
Assistant

SUBJECT: Endorsement of California Assembly Bill (AB) 1958

BOARD ACTION RECOMMENDED:

That the Board:

1. Request the Chief Legislative Analyst's office to formulate a position for consideration by the Mayor and the City Council to formally endorse California Assembly Bill 1958 sponsored by Local 2006, American Federation of State, County, and Municipal Employees (AFSCME), Council 36, which will make the home addresses of veterinarians employed by a public animal control agency shelter, as listed in Department of Motor Vehicles (DMV) records, confidential; and
 2. Advocate that the Bill's protections be extended to include all Department employees.
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SUMMARY:

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For several years, the employees of the Department of Animal Services have risked being targets of radical animal rights groups, namely the Animal Defense League (ADL-LA). In the past, threats and protests were held at city animal shelters. Some employees, including management and the Chief Veterinarian, have been terrorized at both their home and place of business. During MOU negotiations, the issue of the safety of veterinary staff working for the Department became a major issue. A key concern was that members of the ADL-LA were able to obtain home address information of Department veterinary staff from public DMV records.

In response to this concern, Local 2006, AFSCME, Council 36, the union that represents the Department's veterinarians, proposed new legislation, AB 1958, to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles.

The existing law:

“...makes confidential the home address of a list of local, state, and federal officers or employees, and the spouse or child of that officer or employee that appears in the Department of Motor Vehicles records, if the included person requests it be kept confidential, with certain exemptions for information available to specified governmental agencies. A violation of the confidentiality requirement is a crime.”

Currently, the law extends protection to twenty three classes of employees, predominantly in law enforcement and prosecution, social work, park rangers, museum security, city council members and county board of supervisor members.

The amendment to the bill would add veterinarians to the list of those protected as defined below:

“...a veterinarian employed by a zoo, a public animal control agency shelter, or a society for the prevention of cruelty to animals shelter or a humane society shelter contracting with a local public agency for animal care or protection services.”

The Union came to the Department of Animal Services and asked for support for the proposed legislation. Staff recommended this step to increase the safety of our veterinarians. The Department was advised by the Chief Legislative Analyst (CLA) that we can provide input to the CLA's Office on AB 1958 in order for the CLA's Office to formulate a position (support, oppose, or no position), for Council and the Mayor's consideration.

The Department also urges the Commission to advocate that the proposed legislative protections extend to include all Animal Services staff that, in addition to the veterinarians, often are harassed and/or threatened due to their positions within the Department.

This Bill is scheduled to be heard in Sacramento on March 24, 2008, at 1:30 p.m. by the Assembly Transportation Committee.

FISCAL IMPACT:

There is no fiscal impact associated with this legislation as AB 1958 states that:

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“The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.”

It appears that the only cost to the Department would be staff hours in notifying the State of any Veterinarians that become employed by the Department and forwarding their paperwork to the State.

Approved:

Edward A. Boks, General Manager

BOARD ACTION:

| | |
|---------------------------------------|-------------------|
| _____ Passed | Disapproved _____ |
| _____ Passed with noted modifications | Continued _____ |
| _____ Tabled | New Date _____ |